The opinion in support of the decision being entered today was <u>not</u> written for publication and is <u>not</u> binding precedent of the Board.

Paper No. 29

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RANDALL R. SCHNIER

Application 08/818,185

ON BRIEF

MAILED

JUN 3 0 2004

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

Before HARKCOM, Acting Chief Administrative Patent Judge, and WILLIAM F. SMITH, and NASE, Administrative Patent Judges.

Per Curiam.

## REMAND TO THE EXAMINER

The Office of the Group Director of Technology Center 2100 has requested that this application be remanded to the jurisdiction of the patent examiner so that the issues raised in this appeal can be reconsidered. Accordingly, we remand.

If reconsideration by the examiner does not properly result in the withdrawal of all pending rejections, the examiner must

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return this application to the jurisdiction of the Board so that the appeal may be restored.

This application, by virtue of its "special" status, requires immediate action by the examiner. See MPEP § 708.01(d). The Board of Patent Appeals and Interferences must be informed promptly of any action affecting the appeal in this case, including reopening of prosecution, allowance and/or abandonment of the application.

## REMANDED

GARY V. HARKCOM, Acting Chief) Administrative Patent Judge )

WILLIAM F. SMITH

Administrative Patent Judge

JEFFREY V. NASE

Administrative Patent Judge

BOARD OF PATENT APPEALS AND INTERFERENCES

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Appeal No. 2003-1306 Application No. 08/818,185

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